**From:** Keigwin, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP
(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=151BAABB6A2246A3A312F12A706C0A05-RICHARD P KEIGWIN JR]
**Sent:** 2/24/2017 9:38:17 PM
**To:** Marietta Echeverria (Echeverria.Marietta@epa.gov) [Echeverria.Marietta@epa.gov]; Michael Goodis
(Goodis.Michael@epa.gov) [Goodis.Michael@epa.gov]
**Subject:** FW: Synergy Patent Consideration - Relevancy Criteria
**Attachments:** Draft wording on US patent relevancy Houtman Feb 4 2017.doc.docx

Just making sure you are in the loop.  See Bruce's note below.

**From:** Houtman, Bruce (BA) [mailto:bahoutman@dow.com]
**Sent:** Friday, February 24, 2017 3:08 PM
**To:** Keigwin, Richard <Keigwin.Richard@epa.gov>
**Subject:** FW: Synergy Patent Consideration - Relevancy Criteria

Hello Rick – For your awareness, sent this to the EFED folks a couple of week ago for their consideration.  I hope this (or something like this) is discussed during your meeting with CLA on Monday.

The idea with this document is to state, in simple terms, what the Agency has been discussing to define relevancy – from a synergy patent claim and data perspective to USEPA-OPP's evaluation process.
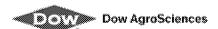
Best Regards,

**Bruce Houtman**
Leader
U.S. Crop Protection Regulatory Affairs

Dow AgroSciences
9330 Zionsville Road, Indianapolis IN USA  46268
phone: 317.337.3376  mobile: 317.407.4903
email: bahoutman@dow.com

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**From:** Houtman, Bruce (BA)
**Sent:** Sunday, February 05, 2017 2:23 PM
**To:** 'Farruggia.frank@Epa.gov' <Farruggia.frank@Epa.gov>
**Cc:** Odenkirchen, Edward (Odenkirchen.Edward@epa.gov) <Odenkirchen.Edward@epa.gov>; 'Echeverria, Marietta' <Echeverria.Marietta@epa.gov>; 'Nesci.kimberly@Epa.gov' <Nesci.kimberly@Epa.gov>; 'Lowit.anna@Epa.gov' <Lowit.anna@Epa.gov>; 'Pease, Anita' <Pease.Anita@epa.gov>
**Subject:** Suggested Edits - Relevancy Criteria

Frank – From the meeting last Monday and our brief chat on Wednesday, here is a bit of follow-up on relevancy criteria suggestions for US synergy patent claims and their underlying data.

Probably important to note two things.  **1)** These are merely my ideas…..not CLA's and **2)** I'm only listing the relevancy criteria you folks have come up with so far.  I personally believe there should be additional relevance criteria added to this list….but I won't distract you with that here.

See attached.

Note – I suggest two lists.  1) What US patent claims are relevant **and** 2) What data from those claims are relevant.  To be considered relevant, claims and data would need to satisfy **all** of these criteria.

Your previously described *"Criteria 5, 6 and 7"*?  Honestly, I would save those subjects (e.g. what's going on at, above or below registered use rates) for consideration when performing and interpreting data analysis.

I appreciate all your work on this difficult issue!  If there are any questions – or if there is anything I can do to help, please let me know.
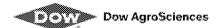
Best Regards,

**Bruce Houtman**
Leader
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